

Message Text

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ORIGIN EB-11

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 DOTE-00 L-03 /060 R

DRAFTED BY EB/ AN: RCPARR: VLV

7/3/73 EXT. 20352

APPROVED BY EB/ AN: MHSTYLES

CAB - MR. MURPHY

EUR/ CE - MR. JOHNSON

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FM SECSTATE WASHDC

TO AMEMBASSY ROME

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E. O. 11652: N/ A

TAGS: ETRN, IT

SUBJECT: CIVAIR - SEABOARD ALL- CARGO OPERATIONS

REF: ROME 5914

1. WE ARE RAPIDLY REACHING POINT AT WHICH WE MUST MAKE FUNDAMENTAL DECISION ON TACTICS TO BE EMPLOYED IN SECURING FURTHER CARGO CAPACITY INCREASES FOR US AIRLINES: SHOULD WE SEEK TO WHEELDE INCREASES ON PIECEMEAL BASIS FROM GRUDGING GOI AUTHORITIES, OR, ON CONTRARY, FILE SOON FOR MAXIMUM REQUIRED ON BASIS MARKET FORECASTS, IN KNOWLEDGE GOI MAY CALL FOR CONSULTATIONS AND THEN PROCEED TO FREEZE SITUATION IF NOT PERSUADED IN CONSULTATIONS THAT INCREASES ARE JUSTIFIABLE.

2. ONE PROBLEM IN SEABOARD CASE IN PARTICULAR IS THAT GUIDELINES FOR ALL- CARGO CAPACITY ARE EMBEDDED IN MEMORANDUM OF UNDERSTANDING (MOU) DESIGNED TO REGULATE PASSENGER TRAF- FIC MOVING DURING " IATA SEASONS," WHILE CARGO OPERATIONS ARE IN FACT NOT RELATED TO SUCH SEASONS. FOR EXAMPLE, SEABOARD IS SEEKING INCREASE OF TWO FREQUENCIES LINKED IN LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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PART TO MOVEMENT OF CHRISTMAS MERCHANDISE, WHICH BUILDS UP IN EARLY FALL. HOWEVER, AS INDICATED REFTTEL, GOI MIGHT INVOKE LEGAL TECHNICALITY TO FORESTALL INCREASE UNDER MOU GUIDELINES UNTIL PEAK PASSENGER SEASON ENDS OCT. 31. THAT

IS, OF COURSE, THE REASON WE HAVE SUGGESTED ALL- CARGO
SCHEDULE FILINGS SHOULD BE MADE 60 DAYS PRIOR TO DATE

OPERATIONS TO COMMENCE. SUCH CHANGE, WHICH COULD IN NO
SENSE INHIBIT GOI ABILITY TO CALL FOR CONSULTATIONS TO PRO-
TECT ALITALIA INTERESTS, WOULD, AS A MATTER OF PRACTICE,
ACCORD TO SEABOARD TREATMENT SIMILAR THAT WHICH US HAS
OFTEN EXTENDED TO ALITALEXAMPLE, ON APRIL 29, 1973, ITALIAN EMBASSY NOTIFIED DEPT
(BY NOTE VERBALE) THAT ALITALIA WOULD ADD TO PREVIOUSLY
FILED SCHEDULE DAILY DC-8 PALERMO- MILAN- NEW YORK, SERVICE
TO BE OPERATED JUNE 16- SEPT. 29. USG DID NOT OBJECT, ON
BASIS THAT AIRLINES SHOULD BE PERMITTED MAKE REASONABLE
SHORT- TERM ADJUSTMENTS TO MEET MARKET REALITIES. WE HAVE
NO PRESENT INTENTION TO OBJECT, BUT BY LOGIC OF GOI POSI-
TION RE SEABOARD REQUEST (PARA 3 REFTEL), ALITALIA SHOULD
VOLUNTARILY TERMINATE SERVICE INAUGURATED JUNE 16.

3. IN SEABOARD'S CASE, SITUATION WAS ABNORMAL IN THAT
MORATORIUM ON CAPACITY INCREASE IMPOSED BY MOU DID NOT
LAPSE COINCIDENT WITH BEGINNING OF " IATA SEASON." THERE-
FORE, IT SEEMS REASONABLE THAT, IN THIS CASE IN PARTICULAR,
CAPACITY INCREASE SHOULD BE CONSIDERED ON ITS MERITS, AND
PROCEDURALLY ON BASIS RECIPROCITY. IN THAT REGARD, SEA-
BOARD SHOWED ADMIRABLE RESTRAINT IN FILING NEW SCHEDULE IN
FACE CONCERNS VOICED ORIGINALLY BY GOI, AND HAD EVERY
REASON BELIEVE ITS OWN CONCERNS WOULD BE GIVEN EQUAL, IF
TARDY, CONSIDERATION (ROME 4461).

4. IN REGARD RELATED ISSUES, WE AGREE LANGUAGE DISCREPANCY
IN AGREEMENT SHOULD BE HARMONIZED IN SUBSTANCE AS WELL AS
SEMANTICALLY (REFTEL). WE WOULD PREFER TO DISCUSS THIS
ISSUE, AS WELL AS OUR PROPOSAL FOR AMENDED TIME FRAME FOR
FILING CARGO SCHEDULES, IN NEXT SERIES FORMAL CONSULTA-
TIONS, PRESUMABLY PRIOR TO YEAR'S END. HOWEVER, IF
ITALIANS DO NOT PICK UP OPTION TO CONSULT, AS GUARANTEED
IN MEMO OF CONSULTATION OF MARCH 1, 1973, WE CAN TRY
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NEGOTIATE CHANGES INFORMALLY.

5. IN CIRCUMSTANCES, EMBASSY MIGHT USEFULLY DISCUSS SEA-
BOARD SITUATION AGAIN WITH APPROPRIATE GOI OFFICIALS,
DRAWING ON FOREGOING AS NEEDED. OBJECTIVE WOULD BE TO PER-
SUADE AUTHORITIES TO PERMIT SEABOARD TO INAUGURATE ADDI-
TIONAL SERVICES SEPT 24 AS SCHEDULED, HOPEFULLY WITHOUT
CALLING FOR CONSULTATIONS. EMBASSY'S VIEWS REQUESTED. RUSH

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